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| 10/585,179 | 12/20/2006 | Simon Wilson | 894A.0016.U1(US) | 2125 |
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| EXAMINER | | | | |
| SHEN, QUN | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/585,179

Applicant(s)

WILSON, SIMON

Examiner

QUN SHEN

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-23, 27-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-23 and 27-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/29/06 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

Applicant's foreign priority claim for the benefits of 0330100.9 filed on December 29, 2003 on the basis of 371 PCT /EP2004/014745 filed on December 23, 2004, is acknowledged.

Specification

Correction of disclosure has been approved.

Drawings

Correction of disclosure addresses drawing issues raised previously.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in **Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966)**, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows: (***See MPEP Ch. 2141***)

Determining the scope and contents of the prior art;
Ascertaining the differences between the prior art and the claims in issue;
Resolving the level of ordinary skill in the pertinent art; and

Evaluating evidence of secondary considerations for indicating obviousness or nonobviousness.

1. Claims 1-3, 6, 8-11, 13, 15, 20-21, 23, 28 and 31 are rejected under 35

U.S.C. 103(a) as being unpatentable over US 6,330,430 B1, Jensfelt (hereinafter Jensfelt), in view of US 6,229,697 B1, Selker (hereinafter Selker).

Referring claim 1, Jensfelt discloses an electronic device cover formed from a sheet of material dimensioned to at least partially cover an electronic device (column 2, lines 24-33), wherein the sheet is configured to have a substantially flat configuration (Fig. 4), and a folded configuration and be bendable into the folded configuration to cover the electronic device (Figs 1-3, column 2, lines 24-33).

Jensfelt does not explicitly disclose that the sheet being configured such that the sheet wants to return to the flat configuration were the sheet not held in the folded configuration. Selker, however, in the same field of endeavor, suggests that a resilient, protective material to be folded and unfolded (flat) can be used to cover a notebook computer (Figs 1, 5, folded configuration, Fig 8, unfolded, flat configuration, col 2, lines 30-56, col 3, lines 47-50). Therefore, consider both Jensfelt and Selker's teachings as a whole, it would have been obvious to one of skill in the art at the time of invention to modify Jensfelt's cover by incorporating Selker's teachings of using resilient material to provide a flexible, multipurpose cover for an electronic device.

Referring claims 2-5, Jensfelt as modified discloses a cover according to claim 1, wherein the cover is configured to be user bendable onto an electronic device (Jensfelt:

Figs 1-3), user replaceable onto an electronic device (Jensfelt: Figs 1-3), and in the flat configuration (Jensfelt: Figs 1-3, column 1, lines 49-50, also see analysis of claim 1).

Referring claims 6 and 8-9, Jensfelt as modified discloses a cover according to claim 1, wherein the sheet of material is formed from a plastic, comprises metal and/or plastic (Jensfelt: column 3, line 51, plastic), and configured to allow it to be bendable back on itself (Jensfelt: Figs 1-3, Selker: Fig 8).

Referring claims 10-11, 13, and 15 Jensfelt as modified discloses a cover according to claim 1, wherein the sheet of material is dimensioned to bridge one or more lateral edges of an electronic device, to cover a front and/or rear surface of the electronic device (Jensfelt: Figs 1-3), and the sheet of material comprises a holding arrangement to facilitate the holding of the cover on the device in the folded configuration, and is configurable to be foldable in half (at least see Jensfelt: Fig 1-4, column 2, lines 18-42, also Selker: col 1, lines 25-26).

Referring claim 20, as applied to claim 1, Jensfelt as modified is silent on wherein a cover configured to provide a reeled configuration for facilitating transport, storage, and/or packaging of the cover. However, Jensfelt as modified does suggest using the cover for storage while not using to enclose a mobile terminal (Jensfelt: column 4, lines 28-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to consider Jensfelt's suggestion and have a reeled configure for

facilitating transport, storage, and/or packaging of the cover for the benefit of additional features.

Referring claim 21, Jensfelt as modified discloses a cover according to claim 1, dimensioned and configured to cover a mobile phone (Jensfelt: Fig 1, column 1, line 38-39).

Referring claim 23, Jensfelt as modified discloses an electronic device (Jensfelt: a mobile terminal, column 1, line 39) configured to receive a cover for an electronic device cover formed from a sheet of material dimensioned to at least partially cover the electronic device (Jensfelt: Figs 1-3, Selker: Fig 8) wherein the sheet is configured to have a substantially flat configuration (Selker: Fig 8) and a folded configuration and be bendable into the folded configuration to at least partially cover the electronic device (Selker: Fig 5, cover the notebook computer), the sheet configured such that the sheet would want to unfold to the flat configuration were the sheet not held in the folded configuration (Selker: Fig 8), and wherein the device is configured to hold the sheet in the folded configuration to act as a cover for the device. (Jensfelt: Figs 1-3, column 2, lines 24-33, Selker: Figs 1, 8, col 3, lines 15-23).

As to claim 28, Jensfelt as modified discloses the cover according to claim 3, wherein the cover comprises an adhesive to allow the cover to be releasably held to the device as a cover (Jensfelt: col 4, lines 1-14).

As to claim 31, claim 31 is a method claim that is encompassed by device claims 1 and 23. It is therefore rejected on the same ground as claims 1 and 23.

2. Claims 14, 16-19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jensfelt in view of Selker, and further in view of US 2003/0036362 A1, Buesseler et al. (hereinafter Buesseler).

Referring claims 14, 16, and 22, Jensfelt as modified (by Selker) discloses the sheet of materials for the cover of a mobile terminal but fails to explicitly disclose the sheet of material of the cover is printed on the inner folded surface of the cover and to provide user readable indicia, and a method distributing a cover comprising providing the cover in an unfolded configuration, and distributing the cover along with printed publication with a cover.

Buesseler, however, in the same field of endeavor, teaches the sheet of material is printed on the inner folded surface of the cover and to provide user readable indicia, and a method of distributing a printed publication with a cover (through interchangeable cover) for advertisement purpose (Buesseler: Figs 13A-13B, paragraphs [0007], [0041]). While Buesseler is silent on the cover in an unfolded configuration, Selker teaches the cover can be folded and unfolded as analyzed in claim 1. Therefore, considering both Jensfelt as modified and Buesseler's teachings as a whole, it would have been obvious to one of the ordinary skill in the art at the time of

invention to incorporate Buesseler's teachings in Jensfelt as modified's cover to provide additional features for the benefit of advertisement and information display.

Referring claims 17-19, Jensfelt discloses the sheet of materials for the cover of a mobile terminal but fails to disclose that wherein the sheet of material comprises one or more actuators to engage with a covered user interface of an electronic device and the features of actuators recited in claims 17 and 19. Buesseler, however, in the same field of endeavor, further teaches the sheet of material comprises one or more actuators to engage with a covered user interface of an electronic device, and the said actuators have sufficient flexibility to allow movement of the actuators in/out of the plane of the sheet, and the said actuators are raised domes (Fig 7A, paragraphs [0006], [0029]). Considering both Jensfelt and Buesseler's teachings as a whole, it would have been obvious to one of the ordinary skill in the art at the time of invention to incorporate Buesseler's teachings and modify Jensfelt's invention to provide additional flexibility for the benefit of more convenient user interface design with the cover.

3. Claims 7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jensfelt, in view of Selker, and further in view of JP 2000/299722 A, Nagashima, (hereinafter Nagashima).

Referring claim 7, as applied to claim 1, Jensfelt as modified discloses a cover but is silent about the sheet of material being formed from a metal. Nagashima, however, teaches the cover may use the sheet of material formed from a metal (Jensfelt: paragraph [0033], aluminum). Considering teachings from both Jensfelt and

Nagashima, it would have been obvious to one of the skill in the art at the time of invention to benefit from using metal as an alternative sheet of material.

Referring claim 12 (applied to claim 1), Jensfelt as modified discloses a cover wherein the sheet of material can be folded flexibly but does not explicitly indicating that the sheet of material comprises a folding line to assist the folding of the sheet into the folded configuration. Nagashima, however, teaches the cover may use the sheet of material comprising a folding line to assist the folding of the sheet into the folded configuration (Figs 4-5). Considering teachings from both Jensfelt and Nagashima, it would have been obvious to one of the skill in the art at the time of invention to incorporate Nagashima's teaching in Jensfelt's invention to benefit from more convenient folding.

4. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jensfelt, in view of Selker, and further in view of US 2003/0127345 A1, Zuleta et al. (hereinafter Zuleta).

As to claim 27, Jensfelt as modified discloses a cover of claim 9, but does not explicitly disclose wherein the sheet is configured to define a U-shape when in a folded configuration. Zuleta, however, suggests the cover (for remote control device) is disposed in a folded, U-shaped configuration (Zuleta: para [0007]). Therefore, consider both Jensfelt as modified and Zuleta's teachings together, it would have been obvious to one of skill in the art at the time of invention to further modify Jensfelt as modified's cover by incorporating Zuleta's teachings in U-shaped configuration as an alternative

configuration.

5. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jensfelt, in view of Selker, and further in view of US 2003/0134613 A1, Latto et al. (hereinafter Latto).

As to claim 29, Jensfelt as modified discloses the device according to claim 23, but does not explicitly disclose the device is configured to engage with apertures in the sheet to hold the cover over the device in the folded configuration. Latto, however, suggests that the device may incorporate a plurality of apertures to allow the operational control of a cell phone unobstructed (by the cover) (Latto: Fig 3, para [0023]).

Therefore, consider Jensfelt as modified and Latto's teachings as a whole, it would have been obvious to one of skill in the art at the time of invention to modify Jensfelt as modified's cover by incorporating Latto's teachings on apertures on the phone cover to prevent the cover from obstructing control operations of the device.

6. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jensfelt, in view of Selker, and further in view of US 2002/0104769 A1, Kim et al. (hereinafter Kim).

As to claim 30, Jensfelt as modified discloses the device according to claim 23, but does not explicitly disclose wherein the device is configured to comprise grooves to hold the cover over the device in the folded configuration. Kim, however, teaches that sliding

grooves may be provided to hold the cover (Kim: paras [0042], [0134]). Therefore, consider Jensfelt as modified and Kim's teachings as a whole, it would have been obvious to one of skill in the art at the time of invention to modify Jensfelt as modified's cover by incorporating Kim's teachings on grooves for holding the cover over the device and sliding the cover through the grooves.

Response to Argument

Applicant's arguments with respect to claims 1-3, 6-23 have been considered but are moot in view of the new ground(s) of rejection (see rejections above).

Claims 27-31 are new and have been rejected (see rejections above).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- WO 2004/066640 A2, Engstrom et al. discloses a mobile communication device including an interchangeable covering addition for display and key reorientation.
- US 7,299,077 B2, Pan discloses a structure of exchangeable décor panel for portable cellular phone having a continuing groove located on a proper position of flip cover and bas portion.
- EP 1301011 A2, Pirila et al discloses an electronic device such as a mobile phone having user changeable composite covers formed by two-shot process.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to QUN SHEN whose telephone number is (571)270-7927. The examiner can normally be reached on Monday through Thursday, 9:30am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LunYi Lao can be reached on 571-272-7671. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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